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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Rce / \$
+ ffw

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/769,363
Filing Date	January 26, 2001
First Named Inventor	Yoshihiro ISHIDA et al.
Group Art Unit	2624
Examiner Name	T. Pham
Attorney Docket Number	03560.002725

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☒ Other Request for Reconsideration
- 08/05/2005 SZEWDIE1 00000063 09769363
01 FC:1801 790.00 CP

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge any deficiencies in the following fees, or credit any overpayments, to Deposit Account No. 06-1205
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ 790.00 is enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

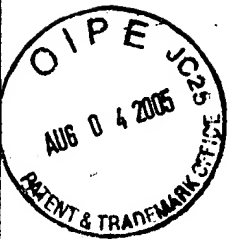
Name (Print/Type)	Brian L. Klock	Registration No. (Attorney/Agent)	36,570
Signature		Date	August 4, 2005

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)		Date	
Signature		Date	

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03560.002725

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
	:	Examiner: T. Pham
YOSHIHIRO ISHIDA, ET AL.)	
	:	Group Art Unit: 2624
Appln. No.: 09/769,363)	
	:	
Filed: January 26, 2001)	
	:	
For: IMAGE PROCESSING APPARATUS)	August 4, 2005
EFFECTIVE FOR PREVENTING	:	
COUNTERFEITING OF A)	
COPY-PROHIBITED OBJECT	:	

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Alexandria, VA 22313-1450

REQUEST FOR RECONSIDERATION

Sir:

In response to the Office Action dated May 4, 2005, Applicants respectfully request reconsideration and allowance of this application in view of the comments below.

Claims 1-23 are pending in this application, with Claims 1, 12, and 23 being independent.

Claims 1-23 have been rejected under 35 U.S.C. §103 as being obvious over U.S. Patent No. 5,621,810 (Suzuki et al.) in combination with U.S. Patent No. 5,465,172 (Fukushima et al.). With respect to the feature of determining whether to output a signal urging re-input of the image data in accordance with the difficulty of determining whether the image data represents a specific image, as recited in Claims 1, 12, and 23, the Examiner asserts that Fukushima et al. discloses re-input determination means and that it would have been obvious to modify Suzuki et al. in view of the teachings of Fukushima et al. Applicants respectfully traverse this position.

Fukushima et al. merely discloses re-reading a document if the first reading is abnormal. However, Applicants submit that Fukushima et al. does not disclose or suggest determining whether to output a signal urging re-input of image data in accordance with a difficulty of determining whether the image data represents a specific image. In particular, that patent is silent as to any measurement or assessment of the degree of difficulty of determining whether image data represents a specific image. Urging re-input based on whether a reading is abnormal is not the same as urging re-input based on the difficulty of determining whether an image represents a specific image.

Moreover, Applicants submit that the Suzuki et al. patent teaches away from this feature. According to that patent, a security pattern can be detected regardless of the orientation of the original on a platen. Therefore, re-input of the image data would not be needed and one skilled in the art would not be led to modify that patent based on the teachings of Fukushima et al. to output a signal urging re-input in accordance with the difficulty of determining whether image data represents a specific image.

For the foregoing reasons, Applicants submit that the present invention recited in independent Claims 1, 12, and 23 is patentable over the cited art. The dependent claims are believed patentable for at least the same reasons as the independent claims, as well as for the additional features they recite.

Applicants also request consideration of the reference cited in the accompanying Information Disclosure Statement. JP 10-327323 discloses comparing a compression rate of reading an image to a predetermined upper limit, determining a threshold level of binarization to be inadequate if the rate is higher than the upper limit, and performing the image reading process again after resetting the threshold level. However, Applicants submit that JP 10-327323 does not disclose or suggest determining whether or not the image data obtained by an image-data input means represents a specific

image having predetermined characteristics. Therefore, Applicants submit that the pending claims are also patentable over that document.

In view of the foregoing, this application is believed to be in condition for allowance. Favorable reconsideration, withdrawal of the outstanding rejection, and an early Notice of Allowance are requested.

Applicants' undersigned attorney may be reached in our Washington D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brian L. Klock", is written over a horizontal line.

Brian L. Klock
Attorney for Applicants
Registration No.: 36,570

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